

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MICHAEL HACKLEY ARCHITECTS,
P.C. AND MICHAEL HACKLEY,

Plaintiffs,

V.

LVLX, INC., JOHN LEE,
COMMERCIAL FINISH GROUP,
INC., JEFFREY WAY, AND
JOHN TROUTON,

Defendants.

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CASE NO: JFM 02 CV 3363

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**PLAINTIFFS MICHAEL HACKLEY AND MICHAEL HACKLEY ARCHITECTS, P.C.'S
OPPOSITION TO DEFENDANTS' MOTION FOR RULE 16(f) SANCTIONS**

Plaintiffs, Michael Hackley and Michael Hackley Architects, P.C. submit their Opposition to Defendants Motion for Rule 16(f) Sanctions. As grounds for their Motion, it appears that defendants allege that plaintiff disregarded this Court's Scheduling Order by "refusing to attend a settlement conference by the cut-off date," and further allege that plaintiff improperly invoked the Fifth Amendment and also refused to testify about alleged damages. Although defendants allege the aforementioned grounds for their motion, purportedly based on a Rule 16(f) "failure to obey a scheduling order", defendants attempt to mis-use this Motion for Sanctions as an opportunity to argue the merits of their case, by alleging purported facts and arguments comprising their defenses of this Action. As set forth more fully in the attached Memorandum of Law, plaintiff Michael Hackley did not improperly invoke the Fifth Amendment, refuse to testify about alleged damages, nor disregard this Court's Scheduling Order. Thus, defendants' Motion for Rule 16(f) Sanctions is not only unwarranted, but unreasonable and unjustified.

For the reasons set forth above and in the attached Memorandum of Law, defendants' Motion for Rule 16(f) Sanctions should be denied.

Respectfully submitted,

Dated: July 27, 2003

_____/s/_____
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing Plaintiffs Michael Hackley Architects, P.C. and Michael Hackley's Opposition to Defendants' Motion for Rule 16(f) Sanctions and Memorandum of Law in Support thereof were furnished electronically this 27th day of July, 2003 to the following addressees:

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